

House File 2093 - Introduced

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BY BODEN

A BILL FOR

- 1 An Act requiring a defendant's vehicle identification
- 2 information to be provided in a no-contact order, and making
- 3 penalties applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 664A.3, Code 2022, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 7. A no-contact order issued pursuant to
4 this section shall include identifying information regarding
5 any motor vehicle or vehicle, as those terms are defined in
6 section 321.1, or vessel as defined in section 462A.2, the
7 defendant owns or operates, including the vehicle's make,
8 model, model year, color, and vehicle registration plate
9 number, if applicable.

10 a. The defendant shall provide to the court the required
11 vehicle identification information that is current at the time
12 the no-contact order is entered pursuant to this section.

13 b. Following issuance of the no-contact order, the
14 defendant shall provide to the court any new or updated vehicle
15 identification information immediately.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 Under current law, when a person is taken into custody
20 for certain contempt proceedings pursuant to Code section
21 236.11 or 236A.12, or arrested for domestic abuse assault,
22 harassment, stalking, sexual abuse in the first, second, or
23 third degree, or any other public offense for which there is
24 a victim, and the person is brought before a magistrate for
25 initial appearance, the magistrate must enter a no-contact
26 order if the magistrate finds probable cause that any public
27 offense or a violation of a no-contact order, protective order,
28 or consent agreement has occurred and the presence of or
29 contact with the defendant poses a threat to the safety of the
30 alleged victim, persons residing with the alleged victim, or
31 members of the alleged victim's family. The court may enter
32 a no-contact order or continue the no-contact order already
33 in effect for a period of five years from the date judgment
34 is entered or a deferred judgment is granted, regardless of
35 whether the defendant is placed on probation if the defendant

1 is convicted of, receives a deferred judgment for, or pleads
2 guilty to a qualifying public offense, or is held in contempt
3 for a violation of a no-contact order or protective order.

4 This bill requires the defendant to provide identifying
5 information regarding any motor vehicle, vehicle, or vessel
6 the defendant owns or operates, including the make, model,
7 model year, color, and vehicle registration plate number,
8 if applicable. The defendant must provide to the court
9 the required vehicle identification information that is
10 current at the time the no-contact order is entered, and the
11 defendant must provide to the court any new or updated vehicle
12 identification information immediately.

13 A violation of a no-contact order or protective order may
14 be punished by summary contempt proceedings and if held in
15 contempt, a person must be confined in the county jail for
16 seven consecutive days. Alternatively, a violation may be
17 prosecuted as a simple misdemeanor. A simple misdemeanor is
18 punishable by confinement for no more than 30 days and a fine
19 of at least \$105 but not more than \$855.